



3761 # 41  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Tanaka et al.

Examiner: Dawson, Glenn K.

Serial No.: 09/322,201

Group: Art Unit 3761

Filed: May 28, 1999

Docket: 2508 (203-3453)

For: SPECIALLY SHAPED BALLOON  
DEVICE FOR USE IN SURGERY  
AND METHOD OF USE

Dated: May 25, 2004

**RECEIVED**

**JUN 02 2004**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TECHNOLOGY CENTER R3700**

**AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.

☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDIT. RATE FEE	ADDIT. RATE FEE
TOTAL	35* MINUS 42**	= 0	X 9 \$ 0	X 18 \$ 0	
INDEP.	11* MINUS 5**	= 6	X 43 \$ 0	X 86 \$516.00	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			X 145 \$ 0	X 290 \$ 0	
			TOTAL \$ 0	OR TOTAL \$516.00	
			ADDIT. FEE \$ -0-		

\* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 25, 2004.

Dated: May 25, 2004

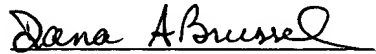
Jennifer Puente

[X] Please charge Deposit Account No. 21-0550 in the amount of \$516.00. Two (2) copies of this sheet are enclosed.

[ ] A check in the amount of \$\_\_\_\_\_ is enclosed.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Dana A. Brussel

Reg. No. 45,717

Attorney for Applicant(s)

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DMC/DAB/jjp



Appl. No. 09/322,201  
Amtd. dated May 25, 2004  
Reply to Office Action mailed March 3, 2004

Atty. Docket: 203-3453 (2508)

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**EXAMINER:** Dawson, Glenn K.

**SERIAL NO.:** 09/322,201

**GROUP UNIT:** 3761

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**FOR: SPECIALLY SHAPED BALLOON DEVICE FOR  
USE IN SPINE SURGERY AND METHOD OF USE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

**RECEIVED**  
JUN 02 2004  
TECHNOLOGY CENTER R3700

Sir:

In response to the Office Action mailed on March 3, 2004, please amend the  
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on  
page 2 of this paper.

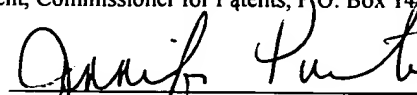
Remarks begin on page 13 of this paper.

05/28/2004 EAREGAY1 00000005 210550 09322201  
01 FC:1201 516.00 DA

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Jennifer Puente